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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicants:** Jean Rapin, et al.

**Serial No.:** 10/635,805

**Filed:** August 5, 2003

**For:** Tripeptides and Tripeptide Derivatives for the Treatment of  
Postlesional Diseases of the Nervous System

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TECH CENTER 1600/2900

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING "REFERENCE" APPLICATION**

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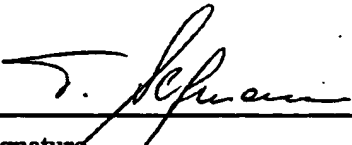
Sir:

The owner, Neurotell AG, of entire interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/635,797, filed on August 5, 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

For this submission on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

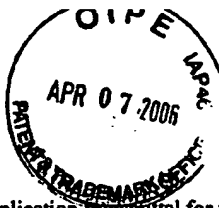
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
\_\_\_\_\_  
Signature

BERGMANN, THOMAS  
\_\_\_\_\_  
Typed or Printed Name

Date: 03-16-06

# FEE TRANSMITTAL



Attorney Docket No. 10945.105003 (Neuro 102US)

This sheet accompanies a patent application transmittal for the following application:

App. No.: 10/635,805  
 Inventor(s): Jean Rapin, Hans Klaus Witzmann, Jean-Marie Grumel, Jacques Gonella  
 Filing Date: August 5, 2003  
 Title: Tripeptides and Tripeptide Derivatives for the Treatment of Postleisional Diseases of the Nervous System

The filing fee is calculated as shown below:

## 1. FILING FEE:

SMALL ENTITY			LARGE ENTITY	
FOR:	FEE	FEE PAID	FEE	FEE PAID
<input type="checkbox"/> UTILITY FILING FEE	\$150		\$300	
<input type="checkbox"/> UTILITY SEARCH FEE	\$250		\$500	
<input type="checkbox"/> UTILITY EXAMINATION FEE	\$100		\$200	
<input type="checkbox"/> PROVISIONAL FILING FEE	\$100		\$200	
<input type="checkbox"/> DESIGN FILING FEE	\$100		\$200	
<input type="checkbox"/> DESIGN SEARCH FEE	\$50		\$100	
<input type="checkbox"/> DESIGN EXAMINATION FEE	\$65		\$130	
<input type="checkbox"/> REISSUE FILING FEE	\$150		\$300	
<input type="checkbox"/> REISSUE SEARCH FEE	\$250		\$500	
<input type="checkbox"/> REISSUE EXAMINATION FEE	\$300		\$600	
<input type="checkbox"/> APPLICATION SIZE FEE (If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).)	\$125		\$250	
SUBTOTAL (1)		\$xxx		\$xxx

## 2. CLAIMS:

SMALL ENTITY				LARGE ENTITY		
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	- 20 =	0	x 25 =		x 50 =	
INDEP. CLAIMS	- 3 =	0	x 100 =		x 200 =	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+180 =		+360 =	
SUBTOTAL (2)				\$xxx		\$xxx

## 3. ADDITIONAL FEES:

SMALL ENTITY			LARGE ENTITY	
FOR:	FEE	FEE PAID	FEE	FEE PAID
<input type="checkbox"/> LATE FILING, FEE OR OATH	\$65		\$130	
<input type="checkbox"/> NON-ENGLISH SPECIFICATION	\$130		\$130	
<input type="checkbox"/> OTHER: Request for Continued Examination				
<input checked="" type="checkbox"/> OTHER: 1 Month Extension of Time			120.00	120.00
SUBTOTAL (3)		\$xxx		\$120.00

**FEE TRANSMITTAL**

Attorney Docket No. 10945.105003 (Neuro 102US)

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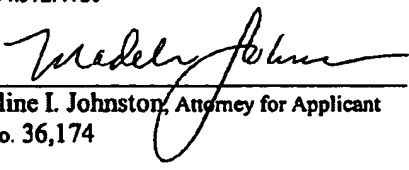
**TOTAL FILING FEES: \$120.00**

A check is enclosed for the total amount: **\$120.00**

☒ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 or 1.17, or to credit any overpayment, to Deposit Account No. 11-0980. A duplicate of this document is enclosed.

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Telephone: 404.572.4720

By: \_\_\_\_\_

  
Madeline I. Johnston, Attorney for Applicant  
Reg. No. 36,174

Date: April 4, 2006 \_\_\_\_\_